

GINA GILBERT WINSPEAR, ESQ.
Nevada Bar No. 005552
gwinspear@dennettwinspear.com
MEREDITH L. HOLMES, ESQ.
Nevada Bar No. 11602
mholmes@dennettwinspear.com
DENNETT WINSPEAR, LLP
3301 N. Buffalo Drive, Suite 195
Las Vegas, Nevada 89129
Telephone: (702) 839-1100
Facsimile: (702) 839-1113
Attorneys for Defendant
STATE FARM INSURANCE COMPANY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAVID LEWENZ, an individual;

Plaintiff,

vs.

STATE FARM INSURANCE COMPANY, a foreign
corporation; DOES 1 through 10; ROE ENTITIES
11 through 20; and ABC LIMITED LIABILITY
COMPANIES 21 through 30,

Defendants.

Case No.: 2:20-cv-01994-KJD-EJY

STIPULATION AND ORDER TO
EXTEND DEADLINE TO FILE
DISPOSITIVE MOTIONS (FIRST
REQUEST)

The Parties, by and through their respective attorneys of record, pursuant to Local Rules IA 6-1 and 26-3, file this stipulation and order to extend the deadline by which to file dispositive motions. The parties seek to extend this deadline by 33 days. This is the first stipulation for extension of time to file dispositive motions.

The parties are not seeking to reopen any discovery deadline, but only wish to extend the deadline to file dispositive motions. The current deadline to file dispositive motions is November 25, 2021. Per Local Rule 26-3, a request made within 21 days of the subject deadline must be supported by a showing of good cause.

///

///

///

1 The parties are requesting this extension on the basis that they are working together to
2 determine whether the case can be entered into binding arbitration for the contractual claims,
3 with the extracontractual claims to be stayed while that binding arbitration is completed. It is
4 possible that additional litigation following the binding arbitration would be unnecessary. Further,
5 the only dispositive motions that would be appropriate in this case would be to address the
6 extracontractual claims. As a result, there is good cause to extend the deadline to file the
7 dispositive motion deadline, as it would potentially save both parties time and resources that
8 would be needed to file dispositive motions that would ultimately be unnecessary, and Court
9 resources in reviewing and potentially deciding on motions that may ultimately be unnecessary.
10 The parties did not intend to delay the Court's calendar or docket management, but are working
11 diligently to come up with the most efficient manner of litigating the claims involved in the case,
12 without wasting the Court's or the parties time or resources if possible.

13 The parties propose the following dates for Dispositive Motions and Pre-Trial Order
14 should the request be granted:

15 A. **Dispositive Motions.** Tuesday, December 28, 2021.

16 B. **Pre-trial Order.** The joint pre-trial order shall be filed no later than 30 days after the
17 date set for filing dispositive motions. In this action, the joint pre-trial order shall be filed on or

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27

28

Lewenz v State Farm
Case No.: 2:20-cv-01994-KJD-EJY
Stip and Order to Extend

before Thursday, January 27, 2022. In the event that dispositive motions are filed, the joint pre-trial order shall be filed no later than 30 days after the order(s) on the dispositive motions are entered.

DATED: 11/24/21

DATED: 11/24/21

NETTLES | MORRIS

DENNETT WINSPEAR, LLP

By /s/ Alexandra B. McCleod
BRIAN D. NETTLES, ESQ.
Nevada Bar No. 7462
CHRISTIAN M. MORRIS, ESQ.
Nevada Bar No. 11218
ALEXANDRA B. MCLEOD, ESQ.
Nevada Bar No. 8185
801 South Fourth Street
Las Vegas, Nevada 89101
**Attorneys for Plaintiff,
David Lewenz**

By /s/ Gina Gilbert Winspear
GINA GILBERT WINSPEAR, ESQ.
Nevada Bar No. 5552
MEREDITH L. HOLMES, ESQ.
Nevada Bar No. 11602
3301 N. Buffalo Drive, Suite 195
Las Vegas, Nevada 89129
**Attorneys for Defendant,
State Farm Insurance Company**

ORDER

IT IS SO ORDERED.

DATED: November 29, 2021


UNITED STATES MAGISTRATE JUDGE